

**MUNICIPALITIES, ASSESSMENTS**  
**Act of Apr. 19, 1901, P.L. 82, No. 55**  
AN ACT

Cl. 11

Making it lawful for any municipality, in which a corporation, created and existing under and by virtue of the laws of this Commonwealth, have constructed and are maintaining, or may hereafter construct and maintain, sewers, culverts, conduits and pipes, with the necessary inlets and appliances, for surface, under surface and sewage drainage, to become the owner of such sewers, culverts, conduits and pipes, with the necessary inlets and appliances aforesaid; providing the amount to be paid for the same, and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same.

Section 1. Be it enacted, &c., That from and after the passage of this act, it shall be lawful for any municipality, in which any corporation created and existing under and by virtue of the laws of this Commonwealth, or any person or persons or unincorporated associations, have constructed and are maintaining or may hereafter construct and maintain, sewers, culverts, conduits, and pipes, with the necessary inlets and appliances, for surface, under surface and sewage drainage, to become the owners of such sewers, culverts, conduits, and pipes, with the necessary inlets and appliances, for surface, under surface, and sewage drainage, and the property of such company, person or persons, or unincorporated associations, by paying therefor the actual value of the same at the time of taking by the municipality.

(1 amended Jul. 21, 1913, P.L.865, No.415)

Section 2. In case of disagreement as to the amount to be paid, the same shall be ascertained in the same manner as damages are now ascertained for private property taken, injured or destroyed by reason of municipal improvements, under the act of the General Assembly of the Commonwealth of Pennsylvania, approved sixteen May, one thousand eight hundred and ninety-one (Pamphlet Laws, 75), entitled "An act in relation to the laying out, opening, widening, straightening, extending or vacating streets and alleys, and the construction of bridges in the several municipalities of this Commonwealth, and grading, paving, macadamizing or otherwise improving streets and alleys, providing for ascertaining the damages to private property resulting therefrom, the assessment of the damages, costs and expenses thereof upon the property benefited, and the construction of sewers and payment of damages, costs and expenses thereof, including damages to private property resulting therefrom."

Section 3. That whenever the amount to be paid by any municipality to any corporation, person or persons, or unincorporated association, for the acquisition of sewers, culverts, conduits and pipes, with the necessary inlets and appliances, under the act of the General Assembly, approved the

nineteenth day of April, Anno Domini one thousand nine hundred and one (Pamphlet Laws, eighty-two), shall have been ascertained in the manner provided in said act, it shall be lawful for the court of common pleas of the proper county, or any law judge thereof in vacation, on application thereto by petition by said municipal corporation or any person interested, to appoint viewers, who shall assess the costs and expenses of the sewers, culverts, conduits and pipes, with the necessary inlets and appliances, acquired by said municipality, upon the property benefitted, according to benefits, if sufficient can be found; but, if not, then the deficiency when finally ascertained shall be paid by the municipal corporation; and the proceedings of said viewers, and the proceedings on their report, shall be as provided in said act of May sixteen, one thousand eight hundred and ninety-one (Pamphlet Laws, seventy-five), for viewers and reports of viewers in cases of property taken, injured, or destroyed.

(3 added Jul. 21, 1913, P.L.865, No.415)